



BOULT • CUMMINGS
CONNERS • BERRY PLC

REC'D TH
REGULATORY AUTH

Henry Walker
(615) 252-2363
Fax: (615) 252-6363
Email: hwalker@boultcummings.com

'02 JAN 22 PM 3 42

January 22, 2002 OFFICE OF THE
EXECUTIVE SECRETARY

Julie Woodruff, Esq.
Tennessee Regulatory Authority
Legal Division
460 James Robertson Parkway
Nashville, TN 37219

Re: Complaint of Access Integrated Network, Inc. Against BellSouth
Telecommunications, Inc. , and
Docket No. 01-00868

Dear Ms. Woodruff:

In response to your pre-hearing Order of November 30, 2001, XO Tennessee, Inc. and Access Integrated Network, Inc. request that BellSouth make available the following witnesses: Richard Tice, Don Livingston, Scott Davis, and Scott Johnson. The first two have already been deposed; the other two were mentioned frequently in the depositions as being involved in BellSouth Select. I do not know at this time whether it will be necessary to take testimony from all four witnesses, but I am confident that those four will collectively be able to answer any questions that may arise about the Select program.

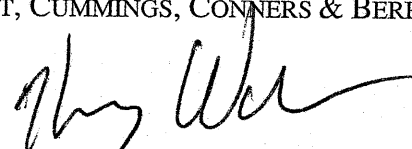
As indicated in the attached letter to Patrick Turner, the parties will not be filing any stipulations of fact. In light of the explanations and admissions made during the discovery process such stipulations are unnecessary.

Finally, you have asked the parties to comment on the need for a live hearing. AIN and XO have decided that, in light of the complexity and significance of this proceeding, that a live hearing is the best way to create a complete evidentiary record. XO and AIN intend to present direct testimony from Rodney Page, a representative of AIN, and Joe Gillan, an economist. AIN and XO also request the opportunity to cross-examine BellSouth's witnesses. I anticipate the hearing will take approximately one day.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker



BOULT • CUMMINGS
CONNERS • BERRY PLC

Henry Walker
(615) 252-2363
Fax: (615) 252-6363
Email: hwalker@boultcummings.com

January 22, 2002

Patrick Turner, Esq.
675 W. Peachtree St.
Suite 4300
Atlanta, GA 30375

Re: *Complaint of Access Integrated Network, Inc. Against BellSouth
Telecommunications, Inc.*
Docket No. 01-00868

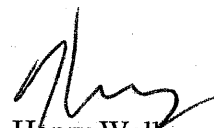
Dear Patrick:

In regard to the above-captioned proceeding, I do not believe it necessary for the parties to enter into stipulations regarding undisputed facts. Based on the information provided in depositions, BellSouth's responses to our interrogatories and our request that Richard Tice, Don Livingston, Scott Davis and Scott Johnson be present at the hearing, I believe that stipulations would be redundant and would not, in any event, avoid the need for a live hearing.

I would like to add, however, my appreciation to you both for your willingness to offer stipulations and your cooperation during the discovery process which has made the stipulations unnecessary.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Henry Walker

HW/nl

c: All parties

David Waddell, Executive Secretary

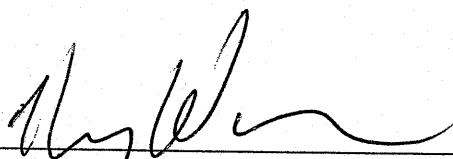
Julie Woodruff, Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 22 day of January, 2002.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300

Chris Allen, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202


Henry Walker